

# SANTA CLARA TO DIVIDE INTO 6 DISTRICTS

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## ABSTRACT (ENGLISH)

Latino citizens will make up more than a quarter of the voting-age population in District 2, giving Hispanic voters more of a chance to elect a candidate of their choice, including by forming a coalition with other minority voting groups in the city. Before outgoing Councilman Pat Kolstad moved earlier this year, he, Councilwoman Teresa O'Neill and Gillmor lived within easy walking distance of each other. [...]Kathy Watanabe was appointed two years ago to the council, no member had come from the city's north side. "The city will further analyze this confusing situation as it determines how to proceed." Since it's still unclear which seats will definitely be up in 2018, the statement continued, the city clerk won't be able to provide information to residents who might want to run for office right away.

## FULL TEXT

Setting the stage for a major shift in Santa Clara politics, a judge on Monday ordered that the city be divided into six districts for future elections, ending an at-large election system that's led to an all-white City Council for generations.

Although they make up around 40 percent of the city's residents, no Asian-American has won a seat on the City Council despite numerous attempts. So the group of Asian-American voters who brought the case against the city hope that the change to single-member districts will finally give minority residents a chance to elect representatives of their choice.

"We're really happy," said Richard Konda, the executive director of the Asian Law Alliance, which helped bring the case against the city.

The plaintiffs had pushed for a seven-district map with a rotating mayor chosen by council members during a three-day hearing in a packed courtroom that ended on Friday. But Santa Clara Superior Court Judge Thomas Kuhnle ultimately chose the city's six-district proposal, with all residents continuing to vote on who should fill the mayor's seat as the city's charter outlines.

"The court was initially concerned that having an at-large mayor would not provide remediation to the extent required But the court is also sensitive to the rights of people in California to form charter cities, and the greater degree of autonomy charter cities provide," Kuhnle wrote in his order.

Mayor Lisa Gillmor said Monday afternoon she hadn't had a chance to fully review the ruling, but that her goal was to keep voters informed about an at-times-confusing process.

"I always want to make sure our residents have a say in what happens with their city," Gillmor said, "and I think we're going to have to discuss what this really means for us."

Under the new map, Asian-American citizens will make up just more than half of the voting-age population of District 1. Latino citizens will make up more than a quarter of the voting-age population in District 2, giving Hispanic voters more of a chance to elect a candidate of their choice, including by forming a coalition with other minority voting groups in the city. Most of the other districts will remain likely to favor candidates selected by white voters.

And, there's no guarantee that the shift will result in more racial diversity right away. But, "it certainly will allow smaller populations within the city to have more impact on the outcomes of elections in their districts," said Larry Gerston, a political science professor emeritus at San Jose State University who has followed the case.

The cost to campaign for a district with 20,000 residents is significantly less than for a city of 130,000, and candidates can interact one-on-one with more constituents. During the hearing, plaintiff Wesley Mukoyama said just a couple of candidates had ever knocked on his door during the more than 40 years he's lived at the same address.

"At least we have a fighting chance and that's all we wanted," Mukoyama, 75, said Monday. "We wanted to show the general public that if we fight against Goliath, we can win because what we're doing is right."

Added Gerston, "Voters will have better opportunities to know candidates on a more intimate level.

During the trial, the plaintiffs put Anaheim Mayor Pro Tem Jose Moreno on the witness stand. The city converted to district elections several years ago as part of a settlement in a similar case.

Prior to the settlement, the Southern California city had few Latinos on its council, Moreno said, and Hispanic voters didn't necessarily feel like they could make a difference. Afterward, the community mobilized, he said, with young people, especially, becoming more involved in campaigning for certain candidates.

"What people want is someone who understands their experience," Moreno said.

The city had voiced concerns about parochialism taking root under a single-member district system. But Asian-American residents critical of the city's old election system said that happened unofficially, anyway. Before outgoing Councilman Pat Kolstad moved earlier this year, he, Councilwoman Teresa O'Neill and Gillmor lived within easy walking distance of each other. Until Kathy Watanabe was appointed two years ago to the council, no member had come from the city's north side. Gillmor's father served as mayor, and Councilwoman Patty Mahan's father also served on the council.

"Most council members resided in a very small part of the city," Gerston said, "and that's no longer going to be the case."

Under the chosen map, Councilwoman Debi Davis lives in District 6, Watanabe is in District 1, Mahan lives in District 5, and O'Neill is in District 4, leaving Districts 2 and 3 open.

The judge didn't specify in his order Monday which seats should be up for election in 2018, but both the city and the plaintiffs have expressed a willingness to put the two open districts on the ballot in November.

"The city will continue to comply with the Judge's order so far as it is able to, given that it is only partial direction," Gillmor said in a statement released by the city. "The city will further analyze this confusing situation as it determines how to proceed."

Since it's still unclear which seats will definitely be up in 2018, the statement continued, the city clerk won't be able to provide information to residents who might want to run for office right away. And the statement took the order to task for conflicting with the city's charter and for amending the candidate nomination period slightly, "contrary to state law."

Most cities involved in similar cases have chosen to settle. Of the more than a dozen similar cases in the state that the plaintiffs' lead attorney Robert Rubin has brought, he's won almost all of them in a settlement. But a settlement ends the possibility of an appeal, and since it chose not to settle the case, Santa Clara could appeal the decision.

Gillmor, who will also be up for reelection in 2018, has led a four-member majority which could ultimately be in jeopardy under the new system. Her allies Davis, Watanabe and O'Neill have terms that run until 2020 and they are likely to be able to serve until then, but it is unclear who will win those seats under the new single-member district system.

Some residents are concerned, however, the new district lines will allow Gillmor to conserve power.

Anthony Becker, who lost a bid for a council seat in 2016, said he thinks even the new map is "gerrymandered," drawn to allow the current council members to keep their seats and to pit well-known minority figures against each other or incumbents in future elections.

"They are afraid of breaking up a clique," Becker said. "We notice this is all about power."

Kevin Park, another former council candidate who lost to Dominic Caserta in 2014, agrees.

"This is a really bad thing for the city," Park said, adding that he thinks a seven-district map with a rotating mayor is the only viable way to allow a new crop of council members to have any real influence over city politics.

Gillmor dismissed the criticism as politically motivated and "not about diversifying the council."

The city faces some tight deadlines to make sure it complies with the judge's order that the new system be in place for the November election. The county's registrar of voters, Shannon Bushey, said during a court hearing last week that she needed new maps and data by Monday to move forward. In its statement, the city said it had provided her with that information.

Moving to six single-member districts from an at-large system will likely involve some growing pains, but the Asian-American voters who brought the case think the result will be worth the trouble.

"What I hope is that people will feel more empowered," Konda said, "that they actually have an opportunity to elect a candidate of their choice."

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